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K.C. 1652

PTO/SB/30 (09-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>Request For Continued Examination (RCE) Transmittal</b>  Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<b>Application Number</b>	09/724,876
	<b>Filing Date</b>	November 28, 2000
	<b>First Named Inventor</b>	Bryan JULIEN
	<b>Art Unit</b>	1652
	<b>Examiner Name</b>	N. T. Nashed
	<b>Attorney Docket No.</b>	300622003110

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply (6 pages) iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s) iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☒ Other Fee Transmittal (form PTO/SB/17) + duplicate for fee processing (2 pages); Petition for Extension of time (1 page); Return postcard

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 03-1952

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
<b>Name (Print/Type)</b>	Randolph Ted Apple	<b>Registration No. (Attorney/Agent)</b>	36,429
<b>Signature</b>		<b>Date</b>	April 21, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 335364450 US, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 21, 2004

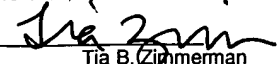
Signature: (Tia B. Zimmerman)

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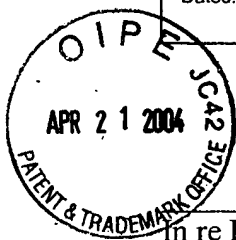
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Dated: April 21, 2004 Signature: 

Tia B. Zimmerman

Docket No.: 300622003110  
(PATENT)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Bryan JULIEN et al.

Application No.: 09/724,876

Group Art Unit: 1652

Filed: November 28, 2000

Examiner: N. Nashed

For: RECOMBINANT METHODS AND  
MATERIALS FOR PRODUCING  
EPOTHILONE AND EPOTHILONE  
DERIVATIVES

**AMENDMENT UNDER 37 CFR 1.116**

MAIL STOP: RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Amendment accompanies a Request for Continued Examination filed in response to the final Office Action dated May 21, 2003 (Paper No. 20), for which a response was due on August 21, 2003. A Notice of Appeal was filed on September 22, 2003. Filed herewith is a Petition and fee for a five-month extension of time, thereby extending the deadline for response to April 22, 2004. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.